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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/049,861

03/27/98

TANAKA

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JA996088

LM02/0429

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INTELLECTUAL PROPERTY LAW  
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EXAMINER

DAVIS, D

ART UNIT

PAPER NUMBER

2754

DATE MAILED:

04/29/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/049,861

Applicant(s)  
Tanaka et al

Examiner  
David D. Davis

Group Art Unit  
2754



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-12 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

***Claim Objections***

3. Claim 9 is objected to because of the following informalities: In claim 9, line 5 "a area" should be --an area--. Appropriate correction is required.

***Claim Rejections - 35 U.S.C. § 112***

4. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, in claim 1, line 8 "a read-write head" is set forth and with respect to claim 1, line 7 "a head/slider" is indefinite because it is unclear if a head or a slider is claimed or if the head recited in line 8 of claim 1 is referenced. Similar indefiniteness exists in lines 2 and 3 of

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claim 1 and line 3 of claim 9. In claim 1, lines 14 and 15, "the surface" is indefinite because it lacks antecedent basis.

***Claim Rejections - 35 U.S.C. § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-5 and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Ishihara (JP 6-111294) or Matsumura et al (JP 6-290452). *Note: with respect to the method limitations in the product claim 2, the applied prior art shows the resultant product, which is bumps on the disk substrate.*

7. Claims 1-5, 7-9 and 11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sato (JP 5-307748). *Note: with respect to the method limitations in the product claim 2, the applied prior art shows the resultant product, which is bumps on the disk substrate.*

8. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Samoto (JP 4-38716). *Note: with respect to the method limitations in the product claim 2, the applied prior art shows the resultant product, which is bumps on the disk substrate.*

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Davis whose telephone number is (703) 308-1503.

A handwritten signature in black ink, appearing to read 'D. D. Davis', with a stylized flourish at the end.

David D. Davis  
Primary Examiner  
April 26, 1999